

AMENDED IN SENATE JUNE 30, 2003

AMENDED IN SENATE JUNE 25, 2003

AMENDED IN ASSEMBLY MAY 7, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 445

Introduced by Assembly Member Vargas
(Coauthors: Assembly Members Maze, Mullin, and Koretz)
(Coauthor: Senator Alpert)

February 14, 2003

An act to add and repeal Article 6 (commencing with Section 4998.90) of Chapter 14 of Division 2 of the Business and Professions Code, relating to social workers.

LEGISLATIVE COUNSEL'S DIGEST

AB 445, as amended, Vargas. Social workers.

Existing law defines an approved school of social work to mean a school that is accredited by the Commission on Accreditation of the Council on Social Work Education.

This bill would require that, on or after January 1, ~~2006~~ 2007, only an individual who possesses a degree from an approved school of social work, an institution that is in candidacy status, as determined by the Council on Social Work Education, or a foreign school of social work, may represent himself or herself as a “social worker.” The bill would specify certain exceptions, including that a graduate of a school in candidacy status, as determined by the Council on Social Work Education, may represent himself or herself as a “social worker” if the school fails to achieve accreditation from the council. The bill would

also specify that it shall not be construed to apply to an individual who is classified by his or her employer as a “social worker” if the individual holds this classification prior to January 1, 2004. The bill would specify that its provisions would become inoperative on July 1, ~~2012-2013~~, and be repealed on January 1, ~~2013-2014~~.

Because a violation of the bill would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Article 6 (commencing with Section 4998.90)
2 is added to Chapter 14 of Division 2 of the Business and
3 Professions Code, to read:

4
5 Article 6. Use of the Designation “Social Worker”
6

7 4998.90. (a) Except as provided in subdivisions (b), (c), and
8 (d), on or after January 1, ~~2006-2007~~, only an individual who
9 possesses a degree from a school of social work, as defined in
10 Section 4990.4, or from an institution that is in candidacy status,
11 as determined by the Council on Social Work Education, or from
12 a foreign school of social work, may represent himself or herself
13 as a “social worker.”

14 (b) A graduate of a school in candidacy status, as determined
15 by the Council on Social Work Education, or that was in candidacy
16 status at the time the graduate began attending the school, may also
17 represent himself or herself as a “social worker” if the school fails
18 to achieve accreditation from the council.

19 (c) This article shall not be construed to apply to an individual
20 who is classified by his or her employer as a “social worker” if the
21 individual holds this classification prior to January 1, 2004.



(d) A violation of this chapter shall be considered an unfair business practice and is a misdemeanor.

(e) Prior to July 1, ~~2012-2013~~, the board shall present to the Legislature a study that indicates whether this article has impeded the county welfare departments' efforts to recruit and retain a professional workforce. The study will include input from the California Chapter of the National Association of Social Workers, the California Society for Clinical Social Work, the California Deans and Directors Association, the County Welfare Directors Association, and other pertinent stakeholder groups.

~~(f) This section shall become inoperative on July 1, 2012, and, 4998.91. This article shall become inoperative on July 1, 2013, and, as of January 1, 2013-2014, is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2013-2014, deletes or extends the dates on which it becomes inoperative and is repealed.~~

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

